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January 27, 2023

Hon. J. Paul Oetken
United States District Judge
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

**Re: United States v. Nunez et al.
22-CR-293 (JPO)**

Dear Judge Oetken:

I am the assigned counsel for **Yorkis Chevalier**, a defendant in the above-captioned case. With apologies for the last-minute nature of this request, I write today to request a modification to Mr. Chevalier's bail conditions to permit him to celebrate his birthday with Ms. Ventura, their two children, and his mother at Ruth's Chris Steak House in Manhattan on Sunday, January 29, 2023, at 6:30 pm.

Mr. Chevalier was arrested on August 24, 2022, and was released on a \$75,000 bond signed by three financially responsible persons with home detention location monitoring. Mr. Chevalier resides at 124 Fort George Avenue, Apt. G in upper Manhattan. He resides there with Genesis Ventura (a bond signer) and their two young children. Ms. Ventura's father (also a bond signer) is the superintendent of the building and resides with his wife in an apartment next door to the defendant's apartment. Ms. Ventura's sister also has an apartment in the same building.

On October 13, 2022, Pretrial Services allowed the defendant to work as a handyman helper to his father-in-law at the apartment building where he resides. On November 22, 2022,

the Court granted Mr. Chevalier permission to attend Thanksgiving dinner at his father- and mother-in-law's home and to attend two birthday celebrations for his six-year-old son. On December 21, the Court granted a modification to permit Mr. Chevalier to spend Christmas dinner and New Year's Eve at his mother-in-law's apartment. Mr. Chevalier and his family greatly appreciated the Court's consideration.

At the change of plea hearing this week (January 24, 2023), the Court continued Mr. Chevalier on bond. Sentencing is scheduled for May 3, 2023.

The Government takes no position on this request. My office reached out to Pretrial Services this morning for their position but has not yet received a response. Because I am submitting this request on a Friday afternoon concerning a proposed Sunday dinner, I ask the Court's pardon for not being able to supply a definitive response from Pretrial Services. However, it is my understanding based on previous communications with Mr. Chevalier's supervising officer that Pretrial Services does not consent to modifications for social gatherings.

Thank you for your consideration of this modification request and for continued courtesies to counsel.

Respectfully submitted,

/s/
Richard H. Rosenberg, Esq.

Cc: All counsel (by ECF)

Granted.
So ordered.
1/27/2023



J. PAUL OETKEN
United States District Judge